

REMARKS

In response to the final action of December 1, 2005, applicants asks that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 1-49 and 58-72 are now pending, of which claims 1-2, 4-5, 23-24, 27-29, 35, 37-39, 41, 45 and 47 are independent. Claims 1-5, 17-18, 23-25 and 41 have been amended.

Applicant asserts that no new matter has been added.

Applicant acknowledges with appreciation the Examiner's allowance of claims 27-34, 37-44, 47, 49, 50 and 63 and the Examiner's indication that claims 7-8 would be allowable if written in independent form including all limitations of the base claim and any intervening claims.

Claims 41 and 48 have been rejected under 35 U.S.C. § 112, second paragraph. Claim 1, from which claim 48 depends, has been amended to recite "an interstate shield route symbol." Claim 41 has been amended to indicate that it depends from claim 38. The amendment of claim 41 reflects the reply filed on February 24, 2005 to non-final Office action of December 28, 2004. Applicant believes the amendments address the Examiner's concerns. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 41 and 48.

Claims 1, 17-23, 35, 45, 64-69 and 72 have been rejected under 35 U.S.C. § 103 as being unpatentable over Behr (U.S. Patent Application Publication No. 2003/0156049). Claims 2-6, 9-13, 16, 24-26, 36, 46 and 58-62 have been rejected under 35 U.S.C. § 103 as being unpatentable over Behr in view of Pu (U.S. Patent Application Publication No. 2003/0156049). Claims 14-15 and 70-71 have been rejected under 35 U.S.C. § 103 as being unpatentable over Behr in view of Buth (U.S. Patent No. 6,899,522). The action indicates that these new grounds of rejection are based on an updated search as a result of the new amended claims (reflected in response filed on September 2, 2005 to action mailed May 19, 2005). See action of December 1, 2005 at page 11.

In response, claims 1-5, 17-18 and 23-25 have been amended to reflect the claim language of pending claims 1-50 prior to the amendment filed on September 2, 2005 in response to the non-final action of May 19, 2005. Stated differently, the present amendment amends claims 1-50 back to claims 1-50 as written and examined in the non-final action of May 19, 2005, which was responsive to communications filed on February 24, 2005. The amendment of claims 1-5, 17-18 and 23-25 was motivated by applicant's desire to expedite favorable prosecution of this case.

Applicant respectfully requests that the present amendment be entered. Applicant submits that no new search is required because the claims 1-50, as reflected in this amendment, have been examined.

Claims 1-50, as amended in the present amendment, were deemed allowable by the Examiner in the May 19, 2005 action. See action of May 19, 2005 at page 5, paragraph 6. The rejection in the December 1, 2005 action applied Behr in rejecting claims 51-55 and 57, and applied Pu in rejecting claim 56. As such, the present action has not applied art to the independent claims of claims 1-50 (namely, claims 1-2, 4-5, 23-24, 27-29, 35, 37-39, 41, 45 and 47) that had not been previously applied by the May 19, 2005 action.¹ Accordingly, applicant submits claims 1-50 are allowable over the applied art.

For at least these reasons, applicant submits that independent claims 1, 2, 4, 5, 23, 24, 35 and 45 are allowable. Therefore, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 4, 5, 23, 24, 35 and 45 along with their dependent claims 3, 6-22, 25, 26, 36, 46, 48, 58-62 and 64-72.

Additionally with regard to independent claims 35 and 45, the rejection of claims 35 and 45 indicates that these claims correspond to claim 23 and are rejected for the same rationale. See action of December 1, 2005 at page 6. However, prior to the present amendment, claim 23 recited "determining a route symbol of the several route symbol types to be associated with a maneuver of the driving directions based on a priority associated with *a route symbol type corresponding to* the route symbol and the maneuver fulfilling a condition associated with the route symbol." The italicized portion of claim is not found in claims 35 or 45. Rather, claims 35 and 45 correspond to claim 23 prior to the amendment filed on September 2, 2005 in response to the non-final action of May 19, 2005 and which was previously deemed by the Examiner to be allowable.

For at least this additional reason, application requests reconsideration and withdrawal of the rejection of claims 35 and 45 along with their dependent claims 36 and 46.

Therefore, applicant submits that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be

¹ The present action applied newly cited art Butth only to dependent claims 14-15 and 70-71.

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exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fee is believed due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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